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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY
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EXAMINER

GAGLIOSTRO, KEVIN M

ART UNIT PAPER NUMBER

2615

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/047,956	Applicant(s) ROBINS ET AL.	
	Examiner Kevin M. Gagliostro	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/26/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/26/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for rejections under this section made in this office action:

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, 3, 4, 5, 6, 7, 8, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication No. 2004/0165108 to Okuda.

Okuda clearly shows all the limitations recited in claim 1. See figures 2 and 4. Referring to claim 1, Okuda shows an image capturing device camera (1) with a display screen (10) integrally formed on the surface, a display cover (4) capable of being positioned on and off the display (10), and a guide device that holds the cover over the display (see figures 2 and 4).

Okuda clearly shows all the limitations recited in claim 3. See figures 2 and 4. Referring to claim 3, Okuda shows a protrusion formed on the display cover (4) (see figures 2 and 4).

Okuda clearly shows all the limitations recited in claim 4. See figures 2 and 4. Referring to claim 4, Okuda shows a protrusion or recess for gripping while retracting the cover (4) (see figures 2 and 4).

Okuda clearly shows all the limitations recited in claim 5. See figure 4. Referring to claim 5, Okuda shows the display cover (4) on the camera's surface remaining outside while retracted (see figure 4).

Okuda clearly shows all the limitations recited in claim 6. See figures 2 and 4 and also see paragraphs [0014], [0027], and [0028] of the specification. Referring to claim 6, Okuda teaches of grooves on the camera along the display (10) where the cover (4) can slide in the grooves (see figures 2 and 4 and also see paragraphs [0014], [0027], and [0028]).

Okuda clearly shows all the limitations recited in claim 7. See figures 2 and 4 and also see paragraphs [0014], [0027], and [0028] of the specification. Referring to claim 7, Okuda teaches linear tracks on the camera along the display (10) where the

cover (4) can slide in the tracks (see figures 2 and 4 and also see paragraphs [0014], [0027], and [0028]).

Okuda clearly shows all the limitations recited in claim 8. See figure 6. Referring to claim 8, Okuda shows the manual retraction of the cover (4) from the display (10) (see figure 6, and the drawing of the hand).

Okuda clearly shows all the limitations recited in claim 13. See paragraph [0015]. Referring to claim 13, Okuda teaches an electrical switch activated by the movement of the display cover (4) (see paragraph [0015]).

Claim Rejections - 35 USC § 103

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0165108 to Okuda in view of U.S. Patent No. 6003052 to Yamagata.

Regarding claim 2, Okuda discloses the display cover (4) (paragraph [0014]), but does not teach a segmented display cover with a plurality of vertical segments (flexibly joined). Yamagata teaches a portable information instrument (1) having a display section (LCD 2) and a display cover (3), wherein the display cover comprises a segmented cover including a plurality of vertical segments (flexibly joined) (see figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has a segmented display cover with a plurality of vertical segments as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented

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cover with a plurality of vertical segments for a camera would allow the cover to move along a curved portion of the tracks of the device so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

Regarding claim 9, Okuda discloses the use of a camera (paragraph [0002]) with a display cover (4) along the exterior surface (figures 2 and 4), but does not teach partially curved tracks where a cover can move along the curved portion of the tracks. Yamagata teaches a portable information instrument (1) having curved tracks where a cover (3) can move along the curved portion of the tracks inside the device (see figure 1B and column 2, lines 31-60). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with a display cover along the exterior surface of Okuda such that it has partially curved tracks where a cover can move along the curved portion of the tracks of the device as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that partially curved tracks where a cover can move along the curved portion of the tracks of the device for a camera so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

Regarding claim 10, Okuda discloses the use of a camera (paragraph [0002]), but does not teach partially curved tracks where a cover can move along the curved portion inside the device. Yamagata teaches a portable information instrument (1) having partially curved tracks where a cover can move along the curved portion inside the device (see figure 1B and column 4, lines 31-60). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has partially curved tracks where a cover can move along the curved portion inside the device as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that partially curved tracks where a cover can move along the curved portion of the tracks of the device for a camera so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

Regarding claim 11, Okuda discloses the use of a camera (paragraph [0002]), but does not teach a cover comprising two or more pieces. Yamagata teaches a portable information instrument (1) having a cover comprising two or more pieces (figures 1A, 1B, column 4 and lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has a cover (3) comprising two or more pieces as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a cover, comprised of two or more pieces, allows a portion of the display screen that is not used for displaying information to be protected by the cover sheet [column 3, lines 9-13].

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Regarding claim 12, Okuda discloses the use of a camera (paragraph [0002]), but does not teach a cover comprising two or more pieces where they are mechanically linked so that the retraction of one piece retracts all other pieces. Yamagata teaches a portable information instrument (1) having a cover comprising two or more pieces where they are mechanically linked so that the retraction of one piece retracts all other pieces (see figures 1A and 1B and also columns, 9 lines 43-67 and column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has a cover comprising two or more pieces where they are mechanically linked so that the retraction of one piece retracts all other pieces as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a cover comprising two or more pieces where they are mechanically linked allows an accommodating means for retracting the cover from a position covering the display screen into an inside of the housing [column 2, lines 36-47].

Regarding claim 14, Okuda discloses the use of a camera (1) (paragraph [0002]) and a protrusion on the display cover (4) (figures 2 and 4), but does not teach a segmented cover (3) with a guide device retaining the cover. Yamagata teaches a portable information instrument (1) having a segmented cover with a guide device retaining the cover (figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with a protrusion on the cover of Okuda such that it has a segmented cover with a guide device retaining the cover as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented cover with a guide device retaining the cover for a camera allows an accommodating means for retracting the cover from a position covering the display screen into an inside of the housing [column 2, lines 36-47].

Regarding claim 15, Okuda discloses the display cover (4) (paragraph [0014]), but does not teach a segmented display cover with a plurality of vertical segments (flexibly joined). Yamagata teaches a portable information instrument (1) having a display section (LCD 2) and a display cover (3), wherein the display cover comprises a segmented cover including a plurality of vertical segments (flexibly joined) (see figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has a segmented display cover with a plurality of vertical segments as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented cover with a plurality of vertical segments for a camera would allow the cover to move along a curved portion of the tracks of the device so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

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Regarding claim 16, Okuda teaches the use of a camera (paragraph [0002]) and a cover that remains outside the device while retracted from the display (figure 4), but does not teach a segmented cover. Yamagata teaches a portable information instrument (1) having a segmented cover (see figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with a cover remaining outside the device while retracted from the display of Okuda such that it has a segmented cover as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented cover for a camera would allow the cover to move along a curved portion of the tracks of the device so that the display cover can be accommodated into a limited space [column 2, lines 47-54].

Regarding claim 17, Okuda teaches the use of a camera (paragraph [0002]) with grooves along the display where the cover can slide in the grooves (figures 2, 4, and paragraph [0014]), but does not teach a segmented cover. Yamagata teaches a portable information instrument (1) having a segmented cover (see figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with grooves along the display where the cover can slide in the grooves of Okuda such that it has a segmented cover as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented cover for a camera with grooves along the display allows a portion of the display screen that is not used for displaying information to be protected by the cover sheet [column 3, lines 9-13].

Regarding claim 18, Okuda teaches the use of a camera (paragraph [0002]) with linear tracks on the camera along the display where the cover can slide in the tracks (figures 2, 4, and paragraph [0014]), but does not teach a segmented cover. Yamagata teaches a segmented cover. Yamagata teaches a portable information instrument (1) having a segmented cover (see figures 1A and 1B and also see column 4, lines 32-50). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with linear tracks on the camera along the display where the cover can slide in the tracks of Okuda such that it has a segmented cover as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that a segmented cover for a camera with linear tracks on the camera along the display where the cover can slide in the tracks allows a portion of the display screen that is not used for displaying information to be protected by the cover sheet [column 3, lines 9-13].

Regarding claim 19, Okuda discloses the use of a camera (paragraph [0002]) with a display cover (4) along the exterior surface (figures 2 and 4), but does not teach partially curved tracks where a cover can move along the curved portion of the

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tracks. Yamagata teaches a portable information instrument (1) having curved tracks where a cover (3) can move along the curved portion of the tracks inside the device (see figure 1B and column 2, lines 31-60). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera with a display cover along the exterior surface of Okuda such that it has partially curved tracks where a cover can move along the curved portion of the tracks of the device as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that partially curved tracks where a cover can move along the curved portion of the tracks of the device for a camera so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

Regarding claim 20, Okuda teaches the use of a camera (paragraph [0002]), but does not teach partially curved tracks where segmented cover can move along the curved portion of the tracks retracting inside the device. Yamagata teaches a portable information instrument (1) having curved tracks where a cover (3) can move along the curved portion of the tracks inside the device (see figure 1B and column 2, lines 31-60). Therefore it would have been obvious to one skilled in the art at the time the invention was made to modify the camera of Okuda such that it has partially curved tracks where the segmented cover can move along the curved portion of the tracks retracting inside the device as disclosed by Yamagata. One would have been motivated to make such a modification in view of the suggestion in Yamagata that partially curved tracks where the segmented cover can move along the curved portion of the tracks retracting inside the device for a camera so that the display cover can be accommodated into a limited space within the housing [column 2, lines 47-59].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Gagliostro whose telephone number is 703-308-6070. The examiner can normally be reached on 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin Gagliostro

10/12/2004



NGOC-YEN VU
PRIMARY EXAMINER